HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 27459 of 2007

26.12.2007

Between:

KSRTC (North East),
Karnataka Road Transport Corporation,
Rep. by Divisional Controller,
Bidar, Karnataka State.

… Petitioner

AND

Deputy Transport Commissioner &
Secretary, RTA, Medak at Sangareddy & another

… Respondents

Counsel for the petitioner : Sri P. Rajagopalachari

Counsel for the respondents : Assistant Government Pleader for Transport

O R D E R:

This writ petition is filed for a writ of mandamus to declare the action of respondent No.2 in seizing the petitioner's vehicle bearing No. KA 38/F 265 under check report No. 2927535 dated 13.11.2007 as illegal.

On 24.12.2007, this Court adjourned the case to enable the learned counsel for the petitioner to substantiate his submissions with reference to the legal position. Today, when the matter is taken up for hearing, learned Assistant Government Pleader for Transport placed before this Court copy of demand notice dated 22.12.2007 issued for Rs.55,750/- towards tax.

In view of the same, no relief can be granted unless the

petitioner challenges the said demand notice.

Therefore, the writ petition is dismissed giving liberty to the petitioner to question the said demand notice by initiating separate proceedings.

As a sequel to dismissal of the writ petition, W.P.M.P.No. 35914 of 2007 filed by the petitioner for interim relief is also dismissed.

C.V.NAGARJUNA REDDY, J

26.12.2007
ksld